

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Rashaun McCoy Arrahmaan**
Docket No. **278030**
L.C. No. **2005-204334-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The delayed application for leave to appeal from the March 9, 2006 judgment of sentence is DISMISSED since appellate counsel failed to file the appeal before the expiration of the 12-month appellate period. MCR 7.202(6)(b)(ii), 7.203(B)(1), and 7.205(F)(3). The filing of the postjudgment motion to withdraw the guilty plea did not toll the time that appointed counsel had to file the appeal since he filed the motion more than six months after the entry of the March 2006 judgment of sentence. MCR 7.205(F)(4). Even if appointed counsel had the ability to file a motion to withdraw the plea when he did, the Court would still lack jurisdiction since appointed counsel did not order the transcript of the hearing on the motion to withdraw the guilty plea within 28 days of the being appointed appellate counsel. MCR 7.205(F)(4)(a)-(c).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 15 2007

Date

Sandra Schultz Mengel
Chief Clerk